



PATENT  
(89188.0006)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Peter C. Brooks, et al.

Serial No: 09/615,624

Confirmation No.: 3563

Filed: July 13, 2000

For: NOVEL METHOD AND COMPOSITION  
FOR INHIBITION OF ANGIOGENESIS  
USING ANTAGONISTS BASED ON MMP-  
9 AND BETA 1 INTEGRINS

Art Unit: 1642

Examiner: Nickol, Gary B.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

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**DECLARATION UNDER 37 C. F. R. § 1.132**

I, Bruce Freimark, of Cell Matrix, Inc., 2110 Rutherford Road, Carlsbad, California, declare that:

1. I am a person who made a deposit of the claimed in the above-referenced patent application antibodies with American Type Culture Collection (ATCC), 10801 University Boulevard, Manassas, Va. 20110.
2. The deposit included the following monoclonal antibody: FM155. The deposit was accepted and approved by ATCC on February 2, 2005. The ATCC accession numbers have been assigned as follows:  
FM155 has been assigned PTA-6553.
3. The deposits will be maintained in the depository for a period of 30 years, or 5 years after the last request, or for the effective life of the patent, whichever is longer, and will be replaced as necessary during that period.
4. I also declare that the antibody deposited is the same as antibody specifically identified in the above-referenced specification.
5. I further declare that the above statements were made with the knowledge that willful false statements and the like are punished by

fine and/or imprisonment under Section 1001 of Title 18 of the United States Code, and that any such willful false statement may jeopardize the validity of this application or any patent resulting therefrom.

Date: February 23, 2005

By: Bruce Freimark